

OCT 06 2011

JULIA C. DUBLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA)	Criminal Action No. 5:05CR00024
)	Civil Action No. 5:11CV80346
v.)	
)	<u>FINAL ORDER</u>
DAWN MICHELLE DEIBERT,)	
)	By: Hon. Glen E. Conrad
Defendant.)	Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The defendant's motion for an evidentiary hearing is **DENIED**;
2. The defendant's motion for appointment of counsel is **DENIED**;
3. The government's motion to dismiss shall be and hereby is **GRANTED**;
4. The defendant's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court; and
5. A certificate of appealability shall be and hereby is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

ENTER: This 5th day of October, 2011.



Chief United States District Judge